

EXHIBIT 29

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X *
5 *
6 NATIONAL ASSOCIATION FOR THE *
7 ADVANCEMENT OF COLORED PEOPLE, *
8 SPRING VALLEY BRANCH, JULIO *
9 CLERVEAUX, CHEVON DOS REIS; ERIC * INDEX NO:
10 GOODWIN; JOSE VITELIO GREGORIO; * 17-CV-8943
11 DOROTHY MILLER; HILLARY MOREAU;
12 and WASHINGTON SANCHEZ
13
14 PLAINTIFFS, *
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10 VS
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14 DEFENDANTS.
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Reported by:

Mary Agnes Drury, RPR, NYACR, CLR

JOB NO. 151980

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2 MS. MATYSTIK: Jennifer Matystik, 03:10
3 also of Latham & Watkins, on behalf of 03:10
4 plaintiff. 03:10

5 MR. LYNCH: Dennis Lynch for the 03:10
6 non-party witness. 03:10

7 MR. BUTLER: David Butler for the 03:10
8 defendants. 03:10

9 VIDEOGRAPHER: At this time would 03:10
10 the court reporter please swear or affirm 03:10
11 both the witness and the interpreter and we 03:10
12 may proceed. 03:10

13

14 L A W R E N C E G I L L I G,
15 called as an interpreter, having been duly
16 affirmed by the Notary Public to interpret
17 the proceedings from Yiddish to English
18 and English to Yiddish; interpreted
19 as follows:

20

21 R A B B I Y E H U D A O S H R Y,
22 called as a witness, having been duly
23 affirmed by a Notary Public, was examined
24 and testified as follows: 03:11
25

MR. LYNCH: If I may. We did have 03:11

1 RABBI YEHUDA OSHRY
2 the school and the house of worship? 03:26
3 A. No, it's the same. 03:26
4 Q. Would it be appropriate to refer to 03:26
5 Shaar Ephraim as Yeshiva? 03:26
6 A. Yes. 03:26
7 Q. And you said that you run Shaar 03:26
8 Ephraim, what does that mean? 03:26
9 A. I am a part of it and I run it. 03:26
10 Q. Does that mean -- the concept I'm 03:26
11 familiar with is a principal of an elementary 03:26
12 school or I suppose that runs the school, are 03:26
13 you the principal of Shaar Ephraim? 03:26
14 A. No, I'm not the principal. 03:26
15 Q. Do you have an official position at 03:26
16 Shaar Ephraim? 03:27
17 A. Yeah. I would be the if you want to 03:27
18 call it the administrative, administrator of 03:27
19 the school. 03:27
20 Q. Would you be the head master of the 03:27
21 school? 03:27
22 A. Yes. 03:27
23 Q. Is Shaar Ephraim a private school? 03:27
24 A. Yes. 03:27
25 Q. And are the students at Shaar 03:27

1 RABBI YEHUDA OSHRY

2 somebody came and asked me, is he not Jewish 03:34
3 and he wants to come into the school, I would 03:34
4 take him or not. Yes. That wouldn't come up 03:34
5 in my term of being in the school so I can't 03:34
6 give you the answer of what would happen at 03:34
7 such a time. 03:34

8 Q. So understanding there is no 03:34
9 requirement to be white, my question is: Of 03:34
10 the student body, are all of the students that 03:34
11 currently attend that Yeshiva white? 03:34

12 A. I would say most, but again I told 03:34
13 them like I told them, there are certain 03:34
14 children from different countries and they come 03:34
15 not the color white, we accept them not being 03:34
16 the color white. 03:34

17 Q. Are there any black students that 03:34
18 attend Shaar Ephraim? 03:34

19 A. There was -- there is Utopian Jewish 03:34
20 people, there's Cayman Jewish people -- Yemen. 03:34

21 THE INTERPRETER: Yemen.

22 THE WITNESS: Yemen. Thank you.

23 You see, that's the way you'd do it.

24 Sorry, I said a Jewish word, you 03:34
25 see, that's why we need you today. 03:35

1 RABBI YEHUDA OSHRY

2 And they are in all white and they 03:35
3 are accepted. 03:35

4 BY MR. MANGAS: 03:35

5 Q. If you walk through the hallways, 03:35
6 are you seeing any students who appear 03:35
7 non-white, like, black skin? 03:35

8 A. We don't want them to walk in the 03:35
9 hallways. We keep them in the classrooms or in 03:35
10 the big room in the synagogue, that's the way 03:35
11 we want them to grow up. 03:35

12 The boys wouldn't know in the 03:35
13 hallways, we usually try to explain that's not 03:35
14 the proper place to be in. 03:35

15 Q. That seems like a fair rule. 03:35

16 So if you went into the classrooms, 03:35
17 would you see any children with black skin? 03:35

18 A. In certain times, yes. I don't -- I 03:35
19 can't say -- very low in number. And then at 03:35
20 certain times, yes, you would see that. 03:35

21 Q. And what times would those be? 03:35

22 A. It's not every year. It could be a 03:35
23 year that they are here, and it could be a year 03:35
24 that I don't have none of them, and it could be 03:35
25 a year that's a minimum number. 03:36

1 RABBI YEHUDA OSHRY
2 So it's -- the percentage is a very 03:36
3 low percentage. 03:36
4 Q. Okay. And then I'll ask the same 03:36
5 question about Latino students; are there 03:36
6 Latino students that attend Shaar Ephraim? 03:36
7 INTERPRETER: Spanish. 03:36
8 THE WITNESS: Jewish? Because we 03:36
9 have Spanish boys from Brazil that are 03:36
10 Jewish, but they're Latinos, so if that's 03:36
11 what's called Spanish, right? 03:36
12 INTERPRETER: What do you mean by 03:36
13 Latinos? 03:36
14 BY MR. MANGAS:
15 Q. So I'm asking about ethnically 03:36
16 Latino; so, born in countries like South 03:36
17 America.
18 A. Yes. 03:36
19 Q. Mexico. 03:36
20 A. South America. Mexico, not that I 03:36
21 can remember, but South America, yes. 03:36
22 Q. And about how many of those students 03:36
23 attend Shaar Ephraim? 03:36
24 A. It depends. If they're bright 03:36
25 students and they've been accepted at there, we 03:37

1 RABBI YEHUDA OSHRY
2 BY MR. MANGAS: 04:58
3 Q. Do the candidates that you've spoken 04:58
4 with in past school board elections, do those 04:58
5 candidates typically run together as -- I'm 04:58
6 going to use the word "slate." 04:58
7 Let me ask this question first: If 04:58
8 I use the word "slate" do you understand what I 04:58
9 meant? 04:58
10 A. Yeah, take my kids slating. 04:58
11 Q. I am not using the word "sled," I'm 04:58
12 using the word "slate." 04:58
13 (Interpreter is interpreting.) 04:58
14 THE WITNESS: No. 04:58
15 Q. Do the candidates that you've spoken 04:58
16 with in the elections in 2018, 2017, or 2016, 04:58
17 have you understood that those candidates are 04:59
18 running together with other candidates? 04:59
19 A. I didn't -- it didn't come into my 04:59
20 mind in a row three, that's why I didn't 04:59
21 recall. Again, to tell you if there was the 04:59
22 same or not in the same, that wasn't my -- it 04:59
23 could have been four people come to me and say, 04:59
24 I would support them all. 04:59
25 As long as they are good people, I 04:59

1 RABBI YEHUDA OSHRY
2 don't care if it's eight, if they can run 04:59
3 eight, let them run as much as they could. 04:59
4 To me, it doesn't make a difference 04:59
5 of how much they run or if they run, as long as 04:59
6 they are good people, I would tell them, you're 04:59
7 accepted. 04:59
8 Q. Are you familiar with the fact that 04:59
9 each candidate for school board is required to 04:59
10 submit a nominating petition to become eligible 05:00
11 for election? 05:00
12 (Interpreter is interpreting.) 05:00
13 THE WITNESS: Petitions. Yeah, 05:00
14 yeah. Do I know of everybody has to give 05:00
15 it? Yes. 05:00
16 Q. Have you been involved in the past 05:00
17 elections in helping gather signatures for the 05:00
18 nominating petitions? 05:00
19 A. The answer is no. 05:00
20 Q. Have you in the past elections 05:00
21 submitted nominating petitions on behalf of 05:00
22 candidates? 05:00
23 A. Yes. 05:00
24 Q. What candidates have you submitted 05:00
25 nominating petitions on behalf of? 05:00

1 RABBI YEHUDA OSHRY
2 A. I don't recall. 05:00
3 Q. I'm going to pull out the quiz' 05:00
4 sheet again and ask you some names and you'll 05:00
5 let me know if you recall. 05:00
6 So I'll start in 2018. 05:01
7 Did you submit a nominating petition 05:01
8 on behalf of Joel Trieger? 05:01
9 A. Let me tell you, I don't know, and 05:01
10 let me tell you what it is. They used to -- I 05:01
11 was the one to bring it in. I don't know in 05:01
12 what -- 05:01
13 (Witness is speaking with 05:01
14 interpreter.) 05:01
15 INTERPRETER: On me, I was the 05:01
16 person that was appointed to bring it in, I 05:01
17 brought it in. 05:01
18 THE WITNESS: So I didn't know 05:01
19 anything of that. I was -- this was my 05:01
20 typical honor, I used to bring it in. This 05:01
21 was my -- I didn't do anything in it, but I 05:01
22 was the man who came in and brought it in 05:01
23 for all those years. I can't say all, but 05:01
24 most of those years, bring it in. 05:01
25 BY MR. MANGAS: 05:01

1

C E R T I F I C A T E

3

4 STATE OF NEW YORK)

5) ss.:

6 COUNTY OF ONONDAGA)

7

8 I, Mary Agnes Drury, a Notary Public

9 within and for the State of New York, do

10 hereby certify:

11 That RABBI YEHUDA OSHRY, the witness
12 whose deposition is hereinbefore set forth,
13 was duly sworn by me and that such
14 deposition is a true record of the
15 testimony given by such witness.

16 I further certify that I am not
17 related to any of the parties to this
18 action by blood or marriage; and that I am
19 in no way interested in the outcome of this
20 matter.

21 IN WITNESS WHEREOF, I have hereunto
22 set my hand this 8th day of December, 2018.

MA Brown

Mary Agnes Drury

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7 OSHRY EXHIBITS

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11		' 503, 14-Pages	
12	Exhibit 2	Subpoena, Dated 9/24/18,	123
13		19-Pages	
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